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June 8, 2022

By ECF

Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Erica Garcia*, 20 Cr. 160 (MKV)

Dear Judge Vyskocil:

Doctor Garcia and Michael Tannuzzo are scheduled for trial on September 12, 2022. I write to respectfully request a two-week adjournment of the trial date. Mr. Tannuzzo's lawyer, Donald Rollock joins in the application. The government has no objection.

I am requesting an adjournment because I do not have sufficient time to prepare Dr. Garcia's case for trial before early September. I begin another trial before Judge Furman on June 13 that will last three to four weeks. *See United States v. Joshua Schulte*, 17 Cr. 548 (JMF). Mr. Schulte is *pro se*, and I am serving as one of his standby counsel. I told the Court about this matter when we discussed a potential trial date for Dr. Garcia. At the time, however, I did not know how long Mr. Schulte's trial would last or how long it would take to prepare.

Mr. Schulte is a former CIA employee. A substantial amount of the discovery in his case is classified, and I have been spending significant time in the courthouse SCIF, assisting him as he drafts motions and other trial-related materials. Because the case involves classified evidence and a *pro se* defendant, there are numerous, complex legal and procedural issues to address. In addition, electronic devices are prohibited in the SCIF, so it is not possible to work on other matters while I am there. As a result, I have not been able to devote as much time as expected to Dr. Garcia's case. Nor, given the complicated scientific evidence at issue in her trial, will I have sufficient time after Mr. Schulte's trial to prepare an adequate defense. Aaron Mysliwiec recently joined me as co-counsel on this matter, but he is still getting up to speed and has other work obligations this summer that require his immediate attention.

I recognize the difficulty of scheduling trials, especially when multiple parties are involved, and appreciate the Court's consideration.

Honorable Mary Kay Vyskocil
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Respectfully submitted,

/s/

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